

REMARKS

Upon entry of this Amendment, which amends Claim 1, 2, 4, 6 and 7, Claims 1-10 remain pending in the present application.

In the November 30, 2004 Office Action, various informality objections were made to the claims. Claims 1-5 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite, but were indicated as being allowable if rewritten to overcome the indefiniteness rejections. Finally, Claims 6-10 were indicated as being allowable if rewritten to overcome the claim objections.

Applicant respectfully requests reconsideration of the claims in view of the above amendments and the comments below.

***Claim Objections***

On page 2 of the Office Action, various informality claim objections were made. In particular, Claim 1 was objected to for allegedly using limitations in the first two operations of the claimed method, but not using any of such limitations in subsequent limitations. Applicant respectfully disagrees. The first operation in the claimed method recites “correcting a frequency offset and determining a boundary between a short and long preamble in a received radio signal”. The second operation in the claimed method recites “constructing a real signal from a complex time-domain signal *associated with said short preamble*”. The third operation in the claimed method recites “extracting an n-sample sequence from a portion of said short preamble to obtain a plurality of equidistant

equal amplitude frequency peaks wherein  $n$  is an integer greater than or equal to zero". These operations all involve operations relating to the short preamble and/or its relationship with the long preamble. The final operation in the claimed method follows directly from the results produced from the subsequent operations. Accordingly, Applicant respectfully believes that this objection is unwarranted, and asks that it be withdrawn.

Claim 1 was also objected to for not defining the symbol " $n$ ". Those of ordinary skill in the art readily understand and appreciate, especially with the benefit of the disclosure, that the symbol " $n$ " is an integer having a value greater than or equal to zero. Although not necessary, this representation is now defined in Claim 1.

Claim 1, as well as Claims 2 and 4, were objected to for various grammatical and typographical errors. Applicant has responded, as the Examiner has recommended, by amending Claims 1, 2 and 4 to correct the errors.

Claim 4 was also objected to for not defining the symbol  $T_s$ . Those of ordinary skill in the art readily understand and appreciate, especially with the benefit of the disclosure, that the symbol " $T_s$ " represents the sampling period. Although not necessary, this representation is now defined in Claim 4.

Claims 6 and 7 were objected to for various grammatical and typographical errors. Applicant has responded, as the Examiner has recommended, by amending Claims 6 and 7 to correct the errors.

Finally, Claim 7 was objected to for not defining the symbols  $H$  and  $N$ . Those of ordinary skill in the art readily understand and appreciate, especially with the benefit of the disclosure, that the symbol " $H$ " is a commonly used symbol denoting the Hermitian conjugate of the associated vector. Those of ordinary skill in the art readily understand and appreciate, especially with the benefit of the disclosure, that the symbol  $N$  represents a component of the first or second vector sequences of the long preamble employed in the cost function  $C$  described in detail in the disclosure. (See, for example, page 10.) There is no patent rule requiring that such terms be defined in the claims themselves, particularly where the disclosure clearly sets forth their definitions. Accordingly, Applicant respectfully believes that these objections are unwarranted, and requests that they be withdrawn.

***35 U.S.C. § 112, Second Paragraph, Claim Rejections***

On pages 2-3 of the Office Action, Claims 1-5 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Specifically, Claim 1 was rejected to for use of the term "sufficient", and for not including antecedent basis for the term "short and long preamble". Claim 1 has been amended in a manner that no longer uses the term "sufficient". Claim 1 has also been amended so that the term "short and long preamble" has proper antecedent basis. Applicant, requests therefore that the § 112, second paragraph rejections of Claims 1-5 now be withdrawn.

***Allowable Subject Matter***

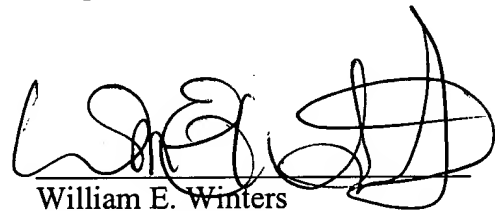
On page 3 of the Office Action, it was indicated that Claims 1-5 would be allowable if the 35 U.S.C. § 112, second paragraph, rejections were overcome, and Claims 6-10 would be allowable if the objections to these claims were overcome. Applicant respectfully believes that both the claim rejections and objections have been addressed and appropriately overcome. Accordingly, Applicant respectfully believes that all claims pending in the present application are now in a condition for allowance.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 408-282-1857.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. E. Winters', written over a horizontal line.

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